

## REMARKS

### ALLOWABLE SUBJECT MATTER

Applicant appreciatively acknowledges the Examiner's identification of claim 53 as reciting allowable subject matter and noting that the claim would be patentable if rewritten in independent form. Applicant also acknowledges the Examiner's identification of claims 41, 45, and 46 as allowable if claims 41 and 45 are rewritten to overcome the Examiner's rejection under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph.

### CANCELED CLAIMS

Applicant hereby cancels claims 30, 31, and 33-36 without prejudice and preserves the right to pursue the subject matter in a continuation application.

### CLAIM AMENDMENTS

**Claim 41** - In response to the rejection of claim 41 as indefinite under 35 U.S.C. §112, second paragraph, claim 41 is amended to recite, in pertinent part:

“...adjusting timing and pitch in the digitized wideband playback signal in response to the deduced periodic deviations, wherein such adjusting comprises establishing a limit in a change in a period of the reference signal, and if the change in the period exceeds the limit, separately conforming the synchronization of the digitized wideband playback signal to the stabilized carrier at a time of the recording which occurs after the change, and if the change in the period does not exceed the limit, not separately conforming the synchronization of the digitized wideband playback signal to the stabilized carrier at a time of the recording which occurs after the change, ...” [Emphasis added]

**Claim 45** - In response to the rejection of claim 45 as indefinite under 35 U.S.C. §112, second paragraph, claim 45 is amended to recite, in pertinent part:

“... adjusting timing and pitch in the digitized wideband playback signal in response to the deduced periodic deviations, wherein such adjusting comprises establishing a limit in a change in a period of the signal corresponding to the reference signal, and if the change in the period exceeds the limit, separately conforming the synchronization of the wideband playback signal in digital form to the stabilized signal corresponding to the reference signal at a time of the digital recording which occurs after the change, and if the change in the period does not exceed the limit, not separately conforming the synchronization of the wideband playback signal in digital form to the stabilized

**signal corresponding to the reference signal at a time of the digital recording which occurs after the change, ...”** [Emphasis added]

In making the 35 U.S.C. §112, second paragraph rejections to claims 41 and 45, the Examiner asks: “What happens if the change in the period does not exceed the limit?” As shown in the **emphasized** language above, the claims now recite the result when the change in the period does not exceed the limit.

Given that the Examiner indicated on page seven of the Final Office Action that claims 41 and 45 would be allowable if rewritten to overcome the 35 U.S.C. §112, second paragraph rejections, Applicant now believes that claims 41 and 45 are in condition for allowance. Further, since claims 42, 43, and 51-53 incorporate by reference the limitations of claim 41, and claims 46, 47, and 48 incorporate by reference the limitations of claim 45, they too should be in condition for allowance.

## CONCLUSION

The Applicant believes this to be a complete response to the Final Office Action of November 12, 2009. For the reasons presented in this response, the Applicant asserts that the claims as shown in the present Listing of the Claims are each patentable. Applicant's undersigned attorneys respectfully request that the Examiner contact them with feedback on whether the pending claims are now in allowable form.

Respectfully submitted:

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